

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DENICE MORGAN)	
)	
Plaintiffs,)	
)	
v.)	
)	
MICHAEL L. DOMINGUEZ, Secretary of the)	Civil Action No.: 05-0967 (RMC)
Air Force)	
)	
Defendant.)	
)	

DEFENDANT’S CONSENT MOTION FOR ENLARGEMENT OF TIME

Defendant Michael L. Dominguez, Acting Secretary of the Air Force, by and through undersigned counsel, respectfully moves this Court pursuant to Rule 6(b)(1), Fed. R. Civ. P., to enlarge the time to reply or otherwise respond to the complaint brought under the Administrative Procedures Act (“APA”), 5 U.S.C. §§ 500-706. Defendant request that the deadline for responding be extended 45 days, specifically from August 1 to September 15, 2005. This is Defendant’s first request for an enlargement of time in this case, and no scheduling order has been entered. Plaintiff, through counsel, graciously consented to this motion.

This enlargement of time is sought because additional time is needed for counsel for the defendant to confer with agency counsel and obtain critical information about the circumstances of this case and its outcome at the administrative level. Counsel for Defendant has been in contact with agency counsel, who is currently compiling a rather large administrative record. Once the record is compiled, counsel anticipates preparing a dispositive motion. Due to counsel’s other cases in an active docket and due to working around various leave schedules during the month of August, counsel requests the additional time to to obtain the administrative

record and formulate Defendant's response to Plaintiff's complaint.

This extension is sought in good faith and will not unfairly prejudice any party. Allowing Defendant some additional time to formulate its response will aid both the parties and the Court in the development and resolution of this case.

WHEREFORE, based on the foregoing, Defendant respectfully request that the time for answering or otherwise responding to Plaintiff's Complaint be extended to September 15, 2005.

Dated: July 25, 2005.

Respectfully submitted,

KENNETH L. WAINSTEIN, D.C. BAR # 451058
United States Attorney

/s/ _____
MEGAN L. ROSE, N.C. Bar # 28639
Assistant United States Attorney
Judiciary Center Building
555 4th Street, N.W.
Washington, D.C. 20530
(202) 514-7220

CERTIFICATE OF SERVICE

I certify that the foregoing **Motion For Enlargement of Time** was served upon plaintiff pursuant to the Court's electronic filing system, addressed to:

**Harvey J. Volzer
216 South Patrick Street
Alexandria, VA 22314**

on this 25th day of July, 2005.

MEGAN ROSE
Assistant United States Attorney
Judiciary Center Building, E-4220
Civil Division
555 4th Street, NW
Washington, D.C. 20530